

IN THE COURT OF APPEALS
STATE OF ARIZONA
DIVISION TWO

FILED BY CLERK

JAN 11 2007

COURT OF APPEALS
DIVISION TWO

THE STATE OF ARIZONA,

Appellee,

v.

PEDRO CARRILLO-ROMERO,

Appellant.

)
)
) 2 CA-CR 2005-0290
) DEPARTMENT A
)

MEMORANDUM DECISION

)
) Not for Publication
) Rule 111, Rules of
) the Supreme Court
)
)

APPEAL FROM THE SUPERIOR COURT OF PINAL COUNTY

Cause No. CR200400103

Honorable David M. Roer, Judge Pro Tempore

AFFIRMED

Harriette P. Levitt

Tucson
Attorney for Appellant

P E L A N D E R, Chief Judge.

¶1 After a jury trial in April 2005, appellant Pedro Carrillo-Romero was convicted of aggravated assault and possession of a deadly weapon by a prohibited possessor. In a separate hearing conducted immediately after trial, the jury found the existence of two aggravating circumstances: the use, threatened use, or possession of a deadly weapon or dangerous instrument during the commission of the crime and recklessness “in handling a handgun.” At sentencing, the trial court considered those aggravators and,

in addition, found Carrillo-Romero had one historical prior felony conviction and had been on probation at the time he committed the offenses.

¶2 Counsel has filed a brief in compliance with *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967); *State v. Leon*, 104 Ariz. 297, 451 P.2d 878 (1969); and *State v. Clark*, 196 Ariz. 530, 2 P.3d 89 (App. 1999), stating that she has thoroughly reviewed the record on appeal and has found no arguable issues to raise. She asks this court to search the entire record for error. Carrillo-Romero has filed a supplemental brief, claiming only that he received ineffective assistance of counsel at trial.

¶3 Pursuant to our obligation under *Anders*, we have reviewed the entire record. We are satisfied that reasonable evidence established all the elements of A.R.S. §§ 13-1204(A)(2) and 13-3102(A)(4), as was required to support Carrillo-Romero's convictions. Our review of the pretrial and sentencing proceedings likewise has shown the presence of no errors that can be characterized as fundamental and prejudicial. We do not address the sole issue Carrillo-Romero raised in his supplemental brief because claims of ineffective assistance of counsel may not be raised on direct appeal. *See State v. Spreitz*, 202 Ariz. 1, ¶ 9, 39 P.3d 525, 527 (2002).

¶4 Carrillo-Romero's convictions and sentences are affirmed.

CONCURRING:

JOHN PELANDER, Chief Judge

JOSEPH W. HOWARD, Presiding Judge

GARYE L. VÁSQUEZ, Judge